IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI WESTERN DIVISION

ARNOLDO BELMONTES, # 65713-079

PETITIONER

v.

CIVIL ACTION NO. 5:06cv148-DCB-MTP

CONSTANCE REESE

RESPONDENT

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that this matter should be dismissed without prejudice.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Petition for Writ of Habeas Corpus [1] be, and the same is, hereby dismissed without prejudice.

SO ORDERED this the 14th day of May, 2009.

s/David Bramlette

UNITED STATES DISTRICT JUDGE